

10638. Misbranding of Red Cross tansy pills. U. S. * * * v. 2 Dozen Packages of * * * Red Cross Tansy Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13749. I. S. No. 10372-t. S. No. W-758.)

On October 2, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen packages of Red Cross tansy pills, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the McCullough Drug Co., Lawrenceburg, Ind., March 2, 1920, and transported from the State of Indiana into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and iron sulphate with a coating of sugar, iron oxid, and calcium carbonate.

It was alleged in substance in the libel that the article was misbranded in that it was labeled in part on the carton containing the said article and in the accompanying booklet, as follows, (carton) " * * * Relieves Cases of obstructions of long standing and the Regulation of Female Complaints," (booklet) " * * * Sure Relief in cases of obstructions of long standing and the Regulation of all Female Complaints * * * safe and sure as a monthly regulator. * * * Suppression of menstruation * * * The object of this remedy is to relieve this abnormal condition, and long experience in its use has demonstrated beyond a doubt its efficacy. * * * no experiment, but an assured success, and all who require a remedy of this kind should use Red Cross Tansy Pills. * * * For Suppressed Menstruation, For Painful Menstruation, And a Preventive For Irregular Menstruation. * * * They always are sure and leave no bad effects. * * * They are undoubtedly a great help to those who need them. * * * They work like magic. * * * Sure Cure * * *," which statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 9, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10639. Misbranding of M. I. S. T. No. 2 nerve tonic. U. S. * * * v. 15 Dozen Packages of * * * M. I. S. T. No. 2 Nerve Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13769, 13770. I. S. Nos. 10476-t, 10477-t. S. Nos. W-777, W-778.)

On October 8, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on October 26, 1920, an amended libel, praying the seizure and condemnation of 15 dozen packages of M. I. S. T. No. 2 nerve tonic, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Williams Mfg. Co., Cleveland, Ohio, in part June 18, 1920, and in part July 8, 1920, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, calomel, a laxative plant drug, and a small amount of methyl salicylate, in gelatin capsules.

Misbranding of the article was alleged in substance in the libel, as amended, for the reason that it was labeled in part on the box containing the said article and in the accompanying wrapper and circular as follows, (box label and bottle wrapper) "M. I. S. T. * * * Nerve * * *," (circular) "M. I. S. T. * * * Nerve * * * For Blood Diseases * * * For Syphilis or Venereal Diseases, Dropsy, Gout, Rheumatism, Tumors, Ulcers, Scrofula, Swellings, Ulcerated Sore Throat, Erysipelas, Cancer or Cancerous Tumors and Inflammation of the Bladder, Stricture and Varicocele * * * For Nervous Diseases * * * M. I. S. T. No. 2 * * * an aid in the treatment of Nervous Diseases * * *," which statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 9, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*